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10/807,238	03/24/2004	Nobutaka Okuyama	501.43515X00	4523

20457 7590 03/23/2007		EXAMINER	
ANTONELLI, TERRY, STOUT & KRAUS, LLP		ALAM, MUSHFIKH I	
1300 NORTH SEVENTEENTH STREET			
SUITE 1800		ART UNIT	PAPER NUMBER
ARLINGTON, VA 22209-3873		2609	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>24 March 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-16</u> is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-16</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 March 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☒ All   b)☐ Some *   c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date <u>8/21/06, 10/29/04, 3/24/04</u>.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Priority

1.   Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which

papers have been placed of record in the file.

Information Disclosure Statement

2.   The references listed on the Information Disclosure Statements filed on

8/21/2006, 10/29/2004, and 3/24/2004 have been considered by examiner (see

attached PTO/SB/08).

Claim Objections

3.   The abstract of the disclosure is objected to because abstract is not one

paragraph. Correction is required. See MPEP § 608.01(b).

4.   Claim 2 is objected to because of the following informalities: The limitation "video

signal after the transmission <u>stem</u> transmits a video signal" should be changed to "video

signal after the transmission <u>system</u> transmits a video signal". Appropriate correction is

required.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

6.   Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Ochiai

(US Patent No. 7,171,677).

As to claim 7, Ochiai discloses a receiver which operates to receive and

reproduce a signal transmitted from an external device having a recording device which

records a video signal, comprising:

- a reception device (1 or 2) which receives a signal including a program (e.g. broadcast

  programs) transmitted by the external device (1 or 2) and information (i.e. programs already

  stored in broadcast storing apparatus) about the program via a network (e.g. Internet

  Protocol) (see column 4, lines 41-48 and 58-60, column 5, lines 55-62) ;

- a reproduction (3 or 4) device which reproduces (i.e. transmits to a broadcast storing

  apparatus and is then outputted to a display) a signal received by the reception device (1 or

  2) (see column 4 lines 41-48); and

- a recording device (3 or 4) for receiving and recording a broadcast program (see column 5,

  38-54),

- wherein the recording device (3 or 4) records a program based on information (i.e. programs

  already stored in broadcast storing apparatus) about the program transmitted from the

  external device (see column 5, lines 55-62).

As to claim 6, Ochiai teaches a transmission and reception apparatus which

operates to receive a video signal and transmit it to an external device, comprising:

- a reception device (1 or 2) which receives a video signal (see column 4, lines 41-42);

- a recording (e.g. storing) device (3 or 4) which records a video signal received by the

  reception device (see column 4, lines 45-46);

- a transmission system (8) on which a video signal recorded by the recording device (3 or 4) is

  transmitted to an external device (5 or 6) via a network (e.g. IP) (see column 4, lines 46-48

  and lines 58-60);

- an output device (3 or 4) which outputs a video signal to display a signal received by the reception device (1 or 2) (see column 4, lines 41-48 and); and

- an input unit responsive to user manipulation (see fig. 5, column 19, lines 12-16),

- wherein, based on user manipulation (e.g. requesting a recording request) from the input unit, the recording device (3 or 4) records a video signal received after said user manipulation (see column 16, lines 21-28);

- wherein recorded information at a time point of the user manipulation is transmitted to the external device (see column 16, lines 24-28 and column 19, lines 28-50); and

- wherein, in response to a request from the external device, the video signal recorded by the recording device is transmitted to the external device (see column 19, lines 28-50).

As to claim 1, note the discussion of Ochiai above. Ochiai teaches a transmission and reception apparatus which operates to receive a video signal and transmit it to an external device, comprising:

- wherein the output device (3) stops video signal output (e.g. receives a stream stop request) and, in response to a request from the external device (4) (e.g. stream control request), transmits the video signal recorded by the recording device (3) to the external device (4) (see figs. 4 and 5; column 11, lines 28-43 and column 18, line 46-column 19, line 27).

As to claim 12, Ochiai teaches a reproduction method of reproducing a video signal in a recording and reproduction apparatus and a receiver comprising the steps of:

- reproducing a video signal in the recording and reproduction apparatus (see fig. 1, column 4, lines 41-48);

- inputting specified user manipulation (i.e. inquiry of recorded video from previously recorded programs) (see column 5, line 58-column 6, line 2);

- recording a video signal continued from a video signal reproduced by the reproducing step in the recording and reproduction apparatus, wherein the video signal to be recorded is

contained in a video signal received after the user manipulation (i.e. continuing recording from the previous time stopped) (see column 5, line 55-column 6, line 2);

- stopping reproduction of the video signal after the recording step (i.e. transmitting a stream stop request) (see column 11, lines 37-42);

- requesting to read a video signal recorded in the recording and reproduction apparatus of the receiver (i.e. transmitting a file read-out request) (see column 12, lines 2-10);

- transmitting a video signal following user manipulation to the receiver via a network in response to said requesting wherein the video signal to be transmitted is recorded in the recording and reproduction apparatus (see column 19, lines 12-16); and

- receiving a video signal transmitted from the recording and reproduction apparatus of the receiver and reproducing the video signal (see column 19, lines 28-50).

As to claim 2, Ochiai teaches the transmission and reception apparatus wherein the recording device stops the recording of a video signal after the transmission system (7) transmits a video signal (e.g. transmits a pin connection breaking request to signify the recording has been completed) (see column 19, lines 51-56).

As to claim 3, Ochiai teaches the transmission and reception apparatus wherein the transmission system (8) transmits recording information (e.g. programs already recorded) about a received video signal to an external device (3 or 4) via a network (e.g. IP) (see column 5, line 55-column 6, line 2).

As to claim 4, 9 and 15, Ochiai teaches the transmission and reception apparatus:

- wherein the reception device receives a digital broadcast signal including a compressed video signal (e.g. MPEG1, MPEG2, or motion JPEG) (see column 8, lines 38-44), and

- wherein the transmission system transmits a compressed video signal to an external device (e.g. MPEG1, MPEG2, or motion JPEG) (see column 8, lines 38-44).

As to claim 5, Ochiai teaches the transmission and reception apparatus further comprising:

- a memory (3 or 4) which automatically stores a video signal received by the reception device, wherein the transmission system (8) transmits a video signal recorded by the recording device based on user manipulation and a video signal automatically stored in the memory before the recording device starts recording (see column 4, lines 41-48).

As to claim 8, Ochiai teaches the receiver wherein a program received by the reception device (1 or 2) and a program recorded by the recording device (3 or 4) constitutes a sequence of contents (e.g. programs previously recorded) (see column 5, lines 58-60).

As to claim 10, Ochiai teaches the receiver further comprising:

- an output device (3), which outputs a list of signals (e.g. list of recorded programs), which the reception device (1 or 2) receives from the external device (3 or 4), based on information (i.e. streaming interface messages) from the external device (3 or 4) (see column 11, lines 28-31, lines 32-35, and column 16, lines 21-28).

As to claim 11, Ochiai teaches the receiver further comprising:

- an input unit responsive to user manipulation (see fig. 5, column 19, lines 12-16),
- wherein specified user manipulation stops recording of a video signal (e.g. requests a stream stop request) in the external device (4) via the network and starts recording in the recording device (3) (see figs. 4 and 5; column 11, lines 28-43 and column 18, line 46-column 19, line 27).

As to claim 13, Ochiai teaches the reproduction method further comprising the steps of:

- requesting to read a video signal recorded in the recording and reproduction apparatus of the receiver and then receiving a broadcast signal (see column 19, lines 12-16); and

- reproducing a signal recorded in the receiver so as to continue (i.e. begin recording from the previous recording end time) from the contents of a video signal transmitted from the recording and reproduction apparatus (see column 5, line 55-column 6, line 2).

As to claim 14, Ochiai teaches the reproduction method wherein the step of receiving the broadcast signal includes recording a specified video signal based on recording information (i.e. times the programs were recorded) about a video signal received by the recording and reproduction apparatus (see column 5, line 55-column 6, line 2).

As to claim 16, Ochiai teaches the reproduction method further comprising the step of: .

- allowing display equipment of the receiver to display names (e.g. identification numbers) of a plurality of networked devices including the recording and reproduction apparatus capable of receiving a video signal (see column 4, line 62-column 5, line 9).

Conclusion

7.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Jeffrey (US Patent No. 6,567,981) is cited to teach an audio/video signal distribution system.

Staal et al (US Patent Publication No. 2002/0271966) is cited to ability to send signals through multiple set-tip boxes in an apartment building.

Lord (US Patent No. 7,114,172) is cited to teach synchronization amongst multiple devices in a network.

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mushfikh Alam whose telephone number is (571) 270- 1710. The examiner can normally be reached on Mon-Fri: 7:30-17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MA
12/18/2006

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